

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	CRIMINAL ACTION
KEVINO GRAHAM;	:	NO. 14-623
RENATO TEIXERA;	:	
BRIAN WRIGHT; and	:	
RAFFAEL ROBINSON	:	
Defendants.		

**ORDER**

AND NOW, this 20<sup>th</sup> day of January, 2016, upon consideration of Defendant Kevin Graham's Motion to Dismiss Count Two 1591 Violation (Doc. No. 193), it is hereby ORDERED that said Motion is DENIED.<sup>1</sup>

BY THE COURT:

/s/ C. Darnell Jones II J.

---

<sup>1</sup> "[A] pretrial motion to dismiss an indictment is not a permissible vehicle for addressing the sufficiency of the government's evidence." *United States v. DeLaurentis*, 230 F.3d 659, 660 (3d Cir.2000) (citations omitted). An indictment must "be a plain, concise, and definite written statement of the essential facts constituting the offense charged." Fed. R. Crim. P. 7(c)(1). "[N]o greater specificity than the statutory language is required so long as there is sufficient factual orientation to permit the defendant to prepare his defense and to invoke double jeopardy in the event of a subsequent prosecution." *United States v. Kemp*, 500 F.3d 257, 280 (3d Cir.2007) (quoting *United States v. Rankin*, 870 F.2d 109, 112 (3d Cir.1989)).